

## **REMARKS**

This paper is a supplement to the Amendment and Response filed with a Request for Continued Examination (RCE) in the above-identified patent application on October 30, 2007. Applicant submitted the Amendment and Response and RCE on October 30, 2007, prior to the announced Patent Office rule change date of November 1, 2007.

Claims 1-11, 30-40, 42, and 45-48 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Staiger, Phillip, "Tutorial – Amapi 4.1.5 Material Editor" Revised 1/1/2001, <http://www.thebest3d.com/amapi/tutorials/materialeditor/> (Staiger I), in view of Staiger et al., "Tutorial – Getting started with Amapi 4.1", Revised 7/9/2003, <http://www.thebest3d.com/amapi/tutorials/bottlesmile/index.html> (Staiger II).

Claims 12-16, 18, and 20-22 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Staiger I in view of Staiger II and further in view of U.S. Patent No. 5,461,709 (Brown).

Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Staiger I in view of Staiger II, and further in view of Brown and U.S. Patent No. 6,822,635 (Shahioian).

Claims 23-28 and 41 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Staiger I in view of Staiger II, and further in view of U.S. Patent No. 5,371,778 (Yanof).

Claim 29 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Staiger I in view of Staiger II, and further in view of Yanof and Brown.

Applicants traverse the rejections. No claim amendments are made herein. Upon entry of this paper, claims 1-42 and 45-48 will still be pending.

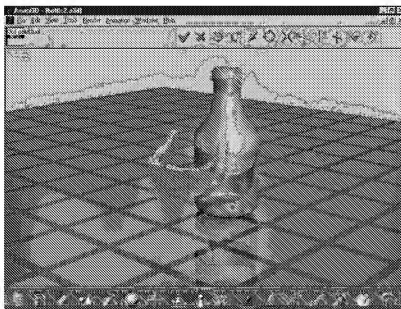
None of the art teaches a three-dimensional graphical user interface element operable to adjust mapped texture within an arbitrarily shaped user-defined region of a surface of a virtual object without affecting a contiguous portion of the surface, as recited in each of independent claims 1, 10, 23, and 30.

The Office Action cites Staiger II as allegedly teaching adjusting texture within an arbitrarily shaped user-defined region without affecting a contiguous portion of the surface. The Office Action states as follows:

Note, the Office interprets the extracted piece of the bottle (see Figure of pg. 52) equivalent to Applicant's arbitrarily-shaped user-defined region of a surface of the claims since the above mentioned shape of Staiger et al. is arbitrarily-shaped, as described in Applicant's arguments of 12/06/06, and since a user can draw/design a multitude of different shapes in Amapi 4.1 as disclosed by Staiger et al. with the extracted object of the bottle in the Figure on pg. 52. The "contiguous portion" of the surface

outside the arbitrarily-shaped user-defined region or the extracted piece from the bottle of Staiger II is interpreted as the bottle itself as the bottle is outside the extracted bottle piece in Staiger II. The bottle object itself, can be interpreted as comprising a “contiguous portion” surface which is outside the extracted piece since Staiger et al. explicitly discloses processing texture in both the bottle object and extracted piece separately (see pg. 51, 4<sup>th</sup> – 5<sup>th</sup> paragraphs) thereby defining two separate objects with separately mapped texture applied thereto, each mapped texture interpreted as contiguous.

The Figure on page 52 of Staiger II is reproduced below, for convenience:



Applicant traverses the rejection and contends the Office’s interpretation of “contiguous portion” is invalid. The extracted piece of the bottle in Staiger II is not contiguous with the bottle itself. The definition of “contiguous” is as follows:<sup>1</sup>

1. Sharing an edge or boundary; touching.
2. Neighboring; adjacent.
3.
  - a. Connecting without a break: *the 48 contiguous states.*
  - b. Connected in time; uninterrupted: *served two contiguous terms in office.*

<sup>1</sup> contiguous. Dictionary.com. *The American Heritage® Dictionary of the English Language, Fourth Edition.* Houghton Mifflin Company, 2004. <http://dictionary.reference.com/browse/contiguous> (accessed: December 03, 2007).

The extracted piece in Staiger II is not touching, bordering upon, neighboring, or adjacent to the bottle object -- it is a separate virtual object.

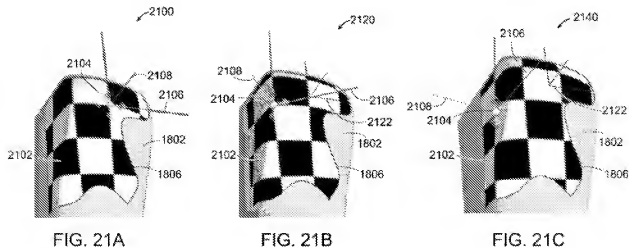
Furthermore, the Office Action admits Staiger II discloses processing texture in the bottle object separately from texture in the extracted piece, "thereby defining two separate objects with separately mapped texture applied thereto" [emphasis added]. This further contradicts the Office Action's contention that the extracted piece of the bottle is the same virtual object as the bottle itself when texture is applied -- the Office Action itself states that they are separate objects. There is no teaching in Staiger II to adjust texture within a region of a surface without affecting a contiguous portion of the surface.

There is no teaching or suggestion in Staiger II, or any of the cited art, of a 3D graphical user interface element operable to adjust mapped texture within an arbitrarily shaped user-defined region of the surface without affecting a contiguous portion of the surface outside the user-defined region, as recited in each of independent claims 1, 10, 23, and 30.

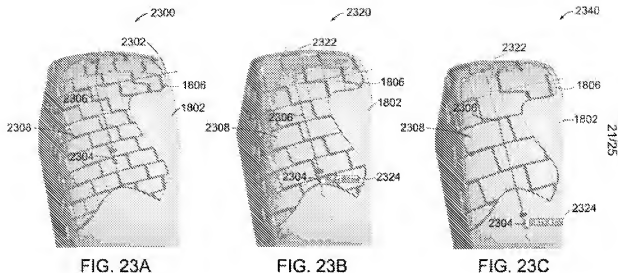
Each of the independent claims of the present invention indicates that the three-dimensional graphical user interface element is operable to adjust the mapped texture within the arbitrarily shaped user-defined region of the surface without affecting a contiguous portion of said surface outside said user-defined region. The independent claims also indicate that the user-defined region is less than the entire surface of the three-dimensional virtual object. None of the cited art, alone or in combination, teaches or suggests a 3D GUI with these attributes.

For example, Figures 21A-C, 23A-C, and 26A-C, reproduced below, demonstrate the 3D GUI of the instant application, operable to adjust an arbitrarily-shaped user-defined region of the surface of a 3D virtual object without affecting the rest of the surface outside the region. Figures 21A-C demonstrate translating the texture within the arbitrarily-shaped user-defined region using the 3D GUI; Figures 23A-C demonstrate scaling the texture within the arbitrarily-shaped user-defined region using the 3D GUI, and Figures 26A-C demonstrate rotating the texture within the arbitrarily-shaped user-defined region using the 3D GUI.

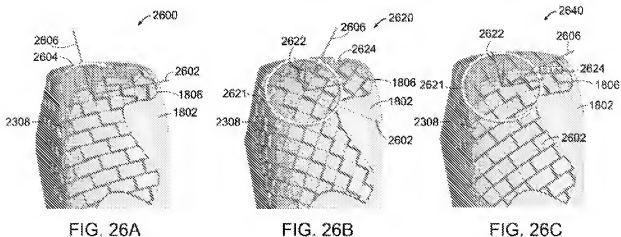
#### Translating



### Scaling



### Rotating



Claims 1, 10, 23, and 30 are patentable in light of the prior art, at least for the reasons presented here, and Applicant respectfully requests reconsideration and withdrawal of any remaining rejections of these claims. Dependent claims 2-9, 11-22, 24-29, 31-42, and 45-48 depend directly or indirectly from one of these independent claims and are therefore also patentable in light of all the cited art, at least on this basis. Applicant respectfully requests reconsideration and withdrawal of all remaining rejections.

**CONCLUSION**

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of all rejections, and allowance of claims 1-42 and 45-48 in due course. The Examiner is hereby cordially invited to contact Applicant's undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,

Date: December 4, 2007  
Reg. No. 53,002

Tel. No.: (617) 570-1013  
Fax No.: (617) 523-1231

/William R. Haulbrook/  
William R. Haulbrook, Ph.D.  
Attorney for Applicant  
Goodwin Procter LLP  
Exchange Place  
Boston, Massachusetts 02109  
Customer No. 051414

1849678